

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MONICA LEWIS,

No. C -14-03735(EDL)

Plaintiff,

**ORDER SETTING BRIEFING
SCHEDULE**

v.

CAROLYN W. COLVIN, Acting Commissioner
of Social Security,

Defendant.

Pro se Plaintiff Monica Lewis has filed a Complaint seeking judicial review of an adverse final decision of the Social Security Administration ("SSA"). See Dkt. Nos. 1, 7. The Complaint alleges that Plaintiff has exhausted her administrative remedies. Id. The SSA has filed a Motion to Dismiss, arguing that Plaintiff failed to exhaust her administrative remedies by not filing an appeal of the Administrative Law Judge's decision with the Appeals Council as required for exhaustion. Additionally, the motion asserts that the Administrative Law Judge's decision was fully favorable to Plaintiff and she was granted benefits from the date of her first application, so there is no adverse decision to appeal.

Plaintiff shall have until December 2 to file an Opposition, if any, to the Motion to Dismiss, and the SSA shall have 7 days after the Opposition is filed to file a Reply. A hearing will be set if the Court determines that one is needed after reviewing the briefs.

IT IS SO ORDERED.

Dated: November 19, 2014



ELIZABETH D. LAPORTE
United States Chief Magistrate Judge